

## **Snider, Mark (OST)**

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**From:** Shanahan, Felicity (Volpe)  
**Sent:** Friday, November 30, 2018 1:52 PM  
**To:** Snider, Mark (OST)  
**Subject:** RE: MRO locations to visit

Great! Can I give you a call at 11:00 on Monday?

### **Felicity M. Shanahan**

Surface Transportation Human Factors Division | Eng. Research Psychologist |  
Volpe, The National Transportation Systems Center | U.S. Department of Transportation  
55 Broadway, Cambridge MA 02142 | Web: [www.volpe.dot.gov](http://www.volpe.dot.gov)  
☎ 617.494.3915 (office) | (b)(6) (cell) | ✉ [felicity.shanahan@dot.gov](mailto:felicity.shanahan@dot.gov)

**From:** Snider, Mark (OST)  
**Sent:** Friday, November 30, 2018 1:16 PM  
**To:** Shanahan, Felicity (Volpe) <[Felicity.Shanahan@dot.gov](mailto:Felicity.Shanahan@dot.gov)>  
**Subject:** RE: MRO locations to visit

Yep.

Mark Snider  
Senior Policy Advisor  
U.S. Department of Transportation  
Office of Drug & Alcohol Policy & Compliance  
<http://www.dot.gov/odapc>

**From:** Shanahan, Felicity (Volpe)  
**Sent:** Friday, November 30, 2018 1:13 PM  
**To:** Snider, Mark (OST) <[Mark.Snider@dot.gov](mailto:Mark.Snider@dot.gov)>  
**Subject:** FW: MRO locations to visit

Hi Mark,

Got this spreadsheet from George can we discuss next week?

Thank you,

### **Felicity M. Shanahan**

Surface Transportation Human Factors Division | Eng. Research Psychologist |  
Volpe, The National Transportation Systems Center | U.S. Department of Transportation  
55 Broadway, Cambridge MA 02142 | Web: [www.volpe.dot.gov](http://www.volpe.dot.gov)  
☎ 617.494.3915 (office) | (b)(6) (cell) | ✉ [felicity.shanahan@dot.gov](mailto:felicity.shanahan@dot.gov)

**From:** George Gilpatrick [<mailto:ggilpatrick@cahillswift.com>]  
**Sent:** Wednesday, November 28, 2018 3:27 PM  
**To:** Shanahan, Felicity (Volpe) <[Felicity.Shanahan@dot.gov](mailto:Felicity.Shanahan@dot.gov)>  
**Subject:** MRO locations to visit

We are still validating the addresses for these MROs, but this is the list so far. Mark asked me to send it to you.

## **Snider, Mark (OST)**

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**From:** Shanahan, Felicity (Volpe)  
**Sent:** Monday, December 3, 2018 11:40 AM  
**To:** George Gilpatrick  
**Subject:** RE: MRO locations to visit

Hi George,

I talked to Mark this morning. He said he wanted these three investigations before the end of February. I'll have them added chance and we can discuss. Hope you're enjoying Alabama!

1. Stephen Kracht
2. Greg Elam
3. (b) (7)(A)

Thanks,

### **Felicity M. Shanahan**

Surface Transportation Human Factors Division | Eng. Research Psychologist |  
Volpe, The National Transportation Systems Center | U.S. Department of Transportation  
55 Broadway, Cambridge MA 02142 | Web: [www.volpe.dot.gov](http://www.volpe.dot.gov)  
☎ 617.494.3915 (office) | (b)(6) (cell) | ✉ [felicity.shanahan@dot.gov](mailto:felicity.shanahan@dot.gov)

**From:** George Gilpatrick [mailto:[ggilpatrick@cahillswift.com](mailto:ggilpatrick@cahillswift.com)]  
**Sent:** Wednesday, November 28, 2018 3:27 PM  
**To:** Shanahan, Felicity (Volpe) <[Felicity.Shanahan@dot.gov](mailto:Felicity.Shanahan@dot.gov)>  
**Subject:** MRO locations to visit

We are still validating the addresses for these MROs, but this is the list so far. Mark asked me to send it to you.

-George

--

George Y. Gilpatrick Jr.  
Cahill Swift, LLC  
240 Commercial St.  
Boston, MA 02109  
617-314-9208



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Policy and Compliance

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

February 6, 2019  
Electronic, Portable Document

Dr. Frederick J. Pope, MD  
30 Jordan Lane, #3  
Wethersfield, CT 06109

Dear Dr. Pope,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Thursday, February 21, 2019 and will conclude on the morning of Friday, February 22, 2019 at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

1. Copy 2 of all Federal Custody and Control Forms for laboratory confirmed non-negative results, including any that were ultimately verified as negative due to a legitimate medical explanation.
2. Laboratory results and communications with certifying scientists
3. Call notes and/or logs from donor verification interviews
4. Notes concerning downgrades for tested specimens
5. A suitable office for examining the records and access to the filing location
6. The opportunity to meet with at least one MRO at your organization who has knowledge of relevant administrative/organizational practices and stakeholder relationships
7. The opportunity to meet with MRO staff



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8. Documentation on all safety concerns, including what the practice sent to the employer in those cases.
9. Documentation on all cancelled tests, including the reasons they were cancelled or, if the tests were changed from cancelled to another status, copies of all related documentation.
10. Information about MRO training – when and where the last training and qualification examination took place for each MRO in the practice.

It is important that your staff have the records available for our on-site visit prior to our arrival. We endeavor to conduct an efficient and expeditious review and to minimize our time at your facility. In order to accomplish this, please contact our contractor listed below to arrange for the logistics of the visit:

Contractor:

George Y. Gilpatrick Jr.  
Cahill Swift, LLC  
240 Commercial St. Floor 2  
Boston, MA 02109  
617-314-9208 x1  
ggilpatrick@cahillswift.com

Prior to the on-site portion of the review, please compile and transmit to the contractor the following information:

- Total number of Federal tests reviewed between 01/01/2018 and 12/31/2018
- Number of positive lab results received during this period
- Number of positive lab results downgraded during this period
- Number of safety concerns issued to employers during this period
- Number of cancelled test

Thank you for your attention to this matter, and we look forward to working with you on this important public-safety effort.

Sincerely,

Mark Snider  
Senior Policy Advisor



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Policy and Compliance

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

February 6, 2019  
Electronic, Portable Document

Dr. Louis Batch, MD  
Central Drug System, Inc.  
3000 MacArthur Blvd. Suite 310  
Santa Ana, CA 92704

Dear Dr. Batch,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Friday, February 22, 2019 and will conclude at the end of the same day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

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Contractor:

George Y. Gilpatrick Jr.  
Cahill Swift, LLC  
240 Commercial St. Floor 2  
Boston, MA 02109  
617-314-9208 x1  
ggilpatrick@cahillswift.com

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Sincerely,

Mark Snider  
Senior Policy Advisor



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1200 New Jersey Avenue, SE  
Washington, D.C. 20590

February 13, 2019  
Electronic, Portable Document

Dr. Terri Hellings, MD  
University Services  
2800 Black Lake Pl.  
Suite A  
Philadelphia, PA 19154

Dear Dr. Hellings,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Thursday, February 21, 2019 and will conclude by the end of that day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

1. Copy 2 of all Federal Custody and Control Forms for laboratory confirmed non-negative results, including any that were ultimately verified as negative due to a legitimate medical explanation.
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It is important that your staff have the records available for our on-site visit prior to our arrival. We endeavor to conduct an efficient and expeditious review and to minimize our time at your facility. In order to accomplish this, please contact our contractor listed below to arrange for the logistics of the visit:

Contractor:  
Craig McNulty  
Cahill Swift, LLC  
240 Commercial St. Floor 2  
Boston, MA 02109  
617-314-9208  
cmcnulty@cahillswift.com

Prior to the on-site portion of the review, please compile and transmit to the contractor the following information:

- Total number of Federal tests reviewed between 1/1/2018 and 12/31/2018
- Number of positive lab results received during this period
- Number of positive lab results downgraded during this period
- Number of safety concerns issued to employers during this period
- Number of cancelled test

Thank you for your attention to this matter, and we look forward to working with you on this important public-safety effort.

Sincerely,

Mark Snider  
Senior Policy Advisor



## Snider, Mark (OST)

---

**From:** George Gilpatrick <ggilpatrick@cahillswift.com>  
**Sent:** Thursday, February 14, 2019 12:33 PM  
**To:** Shanahan, Felicity (Volpe)  
**Cc:** Joe Lofgren; Snider, Mark (OST); Craig McNulty; John Spelman  
**Subject:** Re: Dr. Jerome Cooper, MD  
**Attachments:** Notification Letter - Dr. Pope.pdf; Notification Letter - Hellings.pdf; Notification Letter - Dr. Ba  
  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Felicity,  
Just confirmed:

Dr. Pope: Feb. 21, 2019 - Hartford, CT - Gilpatrick & Fontanella  
Dr. Hellings: Feb. 21, 2019 - Philadelphia, PA - McNulty & Clay  
Dr. Batch: Feb. 22, 2019 - Santa Ana, CA - Lofgren & Gilpatrick

-George

On Thu, Feb 14, 2019 at 12:21 PM Shanahan, Felicity (Volpe) <[Felicity.Shanahan@dot.gov](mailto:Felicity.Shanahan@dot.gov)> wrote:

Hi George,

This group looks good. Can you send the dates and locations when you have them?

Regards,

**Felicity M. Shanahan**

Surface Transportation Human Factors Division | Eng. Research Psychologist |

Volpe, The National Transportation Systems Center | U.S. Department of Transportation

55 Broadway, Cambridge MA 02142 | Web: [www.volpe.dot.gov](http://www.volpe.dot.gov)

☎ 617.494.3915 (office) | (b)(6) (cell) | ✉ [felicity.shanahan@dot.gov](mailto:felicity.shanahan@dot.gov)

**From:** George Gilpatrick <ggilpatrick@cahillswift.com>  
**Sent:** Thursday, February 7, 2019 9:47 AM  
**To:** Joe Lofgren <[jlofgren@cahillswift.com](mailto:jlofgren@cahillswift.com)>; Snider, Mark (OST) <[Mark.Snider@dot.gov](mailto:Mark.Snider@dot.gov)>; Shanahan, Felicity (Volpe) <[Felicity.Shanahan@dot.gov](mailto:Felicity.Shanahan@dot.gov)>; John Spelman <[jspelman@cahillswift.com](mailto:jspelman@cahillswift.com)>  
**Subject:** Dr. Jerome Cooper, MD

**Snider, Mark (OST)**

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**To:** George Gilpatrick  
**Subject:** RE: MRO Draft Schedule

**From:** George Gilpatrick [mailto:ggilpatrick@cahillswift.com]  
**Sent:** Friday, May 31, 2019 4:04 PM  
**To:** Snider, Mark (OST) <Mark.Snider@dot.gov>  
**Subject:** MRO Draft Schedule

Mark,

Here is the draft schedule for the MRO reviews to conclude before August. We can nudge the dates a bit as the MRO:

-George

--

George Y. Gilpatrick Jr.  
Cahill Swift, LLC  
240 Commercial St.  
Boston, MA 02109  
617-314-9208



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1200 New Jersey Avenue, SE  
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June 14, 2019

Electronic, Portable Document

Dr. David R. Nahin, M.D.  
Chief Medical Review Officer  
i3screen  
9501 Northfield Blvd  
Denver, CO 80238

Dear Dr. Nahin,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Tuesday, July 2, 2019 and will conclude at the end of the same day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

1. Copy 2 of all Federal Custody and Control Forms for laboratory confirmed non-negative results, including any that were ultimately verified as negative due to a legitimate medical explanation.
2. Laboratory results and communications with certifying scientists
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9. Documentation on all cancelled tests, including the reasons they were cancelled or, if the tests were changed from cancelled to another status, copies of all related documentation.
10. Information about MRO training – when and where the last training and qualification examination took place for each MRO in the practice.

It is important that your staff have the records available for our on-site visit prior to our arrival. We endeavor to conduct an efficient and expeditious review and to minimize our time at your facility. In order to accomplish this, please contact our contractor listed below to arrange for the logistics of the visit:

Contractor:

Joseph Lofgren, Cahill Swift, LLC  
240 Commercial St. Floor 2, Boston, MA 02109  
617-314-9208 - [jlofgren@cahillswift.com](mailto:jlofgren@cahillswift.com)

Prior to the on-site portion of the review, please compile and transmit to the contractor the following information:

- Total number of Federal tests reviewed between January 1, 2018 and January 1, 2019
- Number of positive lab results received during this period
- Number of positive lab results downgraded during this period
- Number of safety concerns issued to employers during this period
- Number of cancelled test

Thank you for your attention to this matter, and we look forward to working with you on this important public-safety effort.

Sincerely,

Mark Snider  
Senior Policy Advisor



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of Transportation

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Policy and Compliance

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

June 14, 2019

Electronic, Portable Document

(b) (7)(A)

Dear (b) (7)(A)

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Wednesday, July 17, 2019 and will conclude at the end of the same day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

1. Copy 2 of all Federal Custody and Control Forms for laboratory confirmed non-negative results, including any that were ultimately verified as negative due to a legitimate medical explanation.
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It is important that your staff have the records available for our on-site visit prior to our arrival. We endeavor to conduct an efficient and expeditious review and to minimize our time at your facility. In order to accomplish this, please contact our contractor listed below to arrange for the logistics of the visit:

Contractor:

Ms. Toni Clay, Cahill Swift, LLC  
240 Commercial St. Floor 2, Boston, MA 02109  
617-314-9208 - [tclay@cahillswift.com](mailto:tclay@cahillswift.com)

Prior to the on-site portion of the review, please compile and transmit to the contractor the following information:

- Total number of Federal tests reviewed between January 1, 2018 and January 1, 2019
- Number of positive lab results received during this period
- Number of positive lab results downgraded during this period
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Sincerely,

Mark Snider  
Senior Policy Advisor





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1200 New Jersey Avenue, SE  
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June 17, 2019

Electronic, Portable Document

Dr. Stephen Kracht, M.D.  
Chief Medical Officer  
Cynergy Medical Review Office  
8140 Ward Parkway, Ste. 275  
Kansas City, MO 64114

Dear Dr. Kracht,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Tuesday, July 9, 2019 and will conclude at the end of the same day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

The inspection team will need access to the following required materials while on site at your location:

1. Copy 2 of all Federal Custody and Control Forms for laboratory confirmed non-negative results, including any that were ultimately verified as negative due to a legitimate medical explanation.
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Contractor:

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240 Commercial St. Floor 2, Boston, MA 02109  
617-314-9208 - [ggilpatrick@cahillswift.com](mailto:ggilpatrick@cahillswift.com)

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Sincerely,

Mark Snider  
Senior Policy Advisor



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Policy and Compliance

1200 New Jersey Avenue, SE  
Washington, D.C. 20590

June 21, 2019

Electronic, Portable Document

Dr. Stuart Hoffman, MD  
Chief Medical Officer  
First Advantage  
480 Quadrangle Dr. Suite D  
Bolingbrook, IL 60440

Dear Dr. Hoffman,

In an on-going effort to provide compliance oversight as well as technical assistance, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), is conducting on-site reviews at the offices of United States Department of Transportation (DOT)-regulated Medical Review Officers (MROs) across the country. The purpose of these reviews is to measure compliance with 49 CFR Part 40, and to gather statistical information that may be beneficial to future rule making.

This letter is to notify you that ODAPC intends to conduct an on-site review of the DOT-regulated MRO services performed at your office or under your name and title. Our on-site review will begin on Wednesday, July 10, 2019 and will conclude at the end of the same day, at which point you will be provided with a summary of the visit, including any compliance concerns that may require your attention.

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617-314-9208 - [ggilpatrick@cahillswift.com](mailto:ggilpatrick@cahillswift.com)

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Sincerely,

Mark Snider  
Senior Policy Advisor



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1200 New Jersey Avenue, SE  
Washington, D.C. 20590

June 28, 2019

Dr. Greg Elam, MD  
National Toxicology Specialists  
1425 Elm Hill Pike  
Nashville, TN 37210

Dear Dr. Elam,

As you know, on Thursday, June 27, 2019, the Office of the Secretary of Transportation (OST), through the Office of Drug and Alcohol Policy and Compliance (ODAPC), conducted an on-site review of your Medical Review Officer (MRO) practices and procedures.

We understand that our review required a great deal of time and planning on your part. We appreciate your cooperation, time, and understanding during the review. During our time spent on-site, we were able to review numerous records and through our many discussions with you, we left with a better understanding of your practice. Because of your efforts, we believe the goal of improving this important public-safety effort can be achieved.

Once again, thank you for your time and assistance during this review.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Snider".

Mark Snider  
Senior Policy Advisor

## **Snider, Mark (OST)**

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**From:** George Gilpatrick <ggilpatrick@cahillswift.com>  
**Sent:** Monday, July 1, 2019 1:15 PM  
**To:** Lynn Carr  
**Cc:** Snider, Mark (OST)  
**Subject:** Re: February Compliance Review  
**Attachments:** Final Review Letter - Dr. Anu R. Konakanchi.pdf

Lynn,  
Attached is the letter from ODAPC confirming the visit. (b)(6)  
. Thank you for your time and for assisting us.

-George Gilpatrick

On Mon, May 20, 2019 at 11:42 AM Lynn Carr <[lcarr@uservices.com](mailto:lcarr@uservices.com)> wrote:

Hi Mark and George,

I hope you are both enjoying the warmer weather!

While at the FTA Conference in Milwaukee, I recall one of you mentioning that we should expect to receive a letter

I haven't received anything yet and wanted to check in and make sure I didn't miss it.

Please let me know if you have any updates.

Thank you,

Lynn A. Carr, C-SAPA

*Director Medical Review Services*

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